

REMARKS

The Office Action sets forth a requirement under 35 U.S.C. § 121 alleging a Restriction Requirement for the election of a single disclosed species from among the following allegedly patentably distinct species of the claimed invention:

- Species I. Embodiment 1, Figures 1-3, showing the polarization separation device having a diffractive optical sheet;
- Species II. Embodiment 2, Figs. 4-10, showing the process of forming the diffraction grating surface of the composite-type diffractive optical device;
- Species III. Embodiments 3-7, Figs. 11-15, showing the diffractive optical element (DOE) (54) has a flat surface (f) on the first glass substrate (51) or (51A) side thereof and has a blazed diffraction grating surface (d) on the second glass substrate (52) or (52A) thereof;
- Species IV. Embodiments 8-11, Figs. 16-19, showing the diffractive optical element (DOE) (54A) has blazed diffraction grating surface (d) on both sides thereof;
- Species V. Embodiments 12-14, Figs. 20-24, showing the optical construction of an illumination optical system;
- Species VI. Embodiment 15, Fig. 25, showing a most simply structured blazed grating device (15) with a blazed grating (82) formed on the surface of a transparent substrate (81) having the shape of a flat plate and a separation coating (83) formed on top of the blazed grating (82);

Species VII. Embodiment 16, Fig. 26, showing a blazed grating device (16) that has additional transparent member (84) having the shape of a flat plate and kept in intimate contact with the blazed grating (82) with the separation coating (83) sandwiched in between; and

Species VIII. Embodiments 17-22, Figs. 27-44, showing the P-polarization and S-polarization.

Election of Species

Applicants respectfully elect Species I (which includes claims 1-5) without traverse.

CONCLUSION

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: Kathy Needleman
Kathy E. Needleman
Registration No. 47,816
Attorney for Applicants

KEN:bar
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3474
Main: (214) 981-3300
Facsimile: (214) 981-3400
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